



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,678	09/22/2003	Junichi Yoshizawa	088485-0231	9388

23392 7590 07/27/2005
FOLEY & LARDNER
2029 CENTURY PARK EAST
SUITE 3500
LOS ANGELES, CA 90067

EXAMINER

LAM, DUNG LE

ART UNIT PAPER NUMBER

2687

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	Application No. 10/667,678	Applicant(s) YOSHIZAWA, JUNICHI	
	Examiner Dung Lam	Art Unit 2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)–(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The references listed in the Information Disclosure Statement submitted on May 17, 2004 and 2, 2004 and June 13, 2005 have been considered by the examiner (see attached PTO-1449 form).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims **1-3,6-18** are rejected under 35 U.S.C. 102(b) as being anticipated by **Kashiwamura** (US Publication No. 2002/0016188).

4. Regarding **claim 1**, **Kashiwamura** teaches a power consumption control method applied to a communication system including a reproduction apparatus capable of reproducing content data (phone 9 with an adapter 2, Fig. 2) and an output apparatus

Art Unit: 2687

(headset 3, paragraph 33) capable of outputting data based on the reproduced content data, the method comprising:

transmitting the content data reproduced by the reproducing apparatus to the output apparatus through a radio communication interface in an ordinary operation mode (paragraph 34);

and transitioning at least one of the reproducing apparatus and the output apparatus from said ordinary operation mode to a low-power consumption operation mode through the radio communication interface, when a data reproduction stop request is made in another of the reproducing apparatus and the output apparatus (paragraph 49 and 50).

5. Regarding **claim 2**, **Kashiwamura** teaches a power consumption control method according to claim 1, wherein when the data reproduction stop request is made in the output apparatus, the reproduction apparatus is transitioned to the low-power consumption operation mode through the radio communication interface and the output apparatus is transitioned to the low-power consumption operation mode (paragraph 49 and 50).

6. Regarding **claim 3**, **Kashiwamura** teaches a method according to claim 2, wherein when a data reproduction request is made in the output apparatus, the output apparatus is recovered from the low-power consumption operation mode to the ordinary operation mode and the reproduction apparatus is recovered from the low-power

Art Unit: 2687

consumption operation mode to the ordinary operation mode through the radio communication interface (paragraph 46).

7. Regarding **claim 6**, **Kashiwamura** teaches a method according to claim 1, wherein the low-power consumption operation mode (stand-by mode) is a state in which power consumption relating to radio communication is reduced (periodically switch on, paragraph 38).

8. Regarding **claim 7**, **Kashiwamura** teaches a method according to claim 6, wherein the low-power consumption operation mode includes a first mode in which connection of the radio communication is maintained (stand-by mode, paragraph 38) and a second mode in which the connection is cut off (unused mode, paragraph 37).

9. Regarding **claim 8**, **Kashiwamura** teaches a method according to claim 7, wherein when a data reproduction request is made in one of the reproducing apparatus and the output apparatus, if the connection of the radio communication has been cut off, the connection of the radio communication is established and the other of the reproduction and the output apparatus is recovered from the low-power consumption operation mode to the ordinary operation mode (paragraph 49 and 50).

10. Regarding **claim 9**, **Kashiwamura** teaches an output apparatus (headset 3, Figure 4), comprising: a radio communication interface; an output control unit configured

Art Unit: 2687

to output data in accordance with content data transmitted from a reproduction apparatus through the radio communication interface (paragraph 34); and a power control unit (71, Figure 6) configured to control at least the reproduction apparatus to transition from an ordinary operation mode in which content data is transmitted to a low-power consumption operation mode through the radio communication interface, when a data reproduction stop request is made at the output apparatus (paragraph 45, 49 and 50).

11. Regarding **claim 10, Kashiwamura** teaches an output apparatus according to claim 9, wherein the power control unit transitions the output apparatus to the low-power consumption operation mode, when the data reproduction stop request is made (paragraph 49).

12. Regarding **claim 11, Kashiwamura** teaches an output apparatus according to claim 10, wherein the power control unit transitions the output apparatus from the low-power consumption operation mode to the ordinary operation mode (paragraph 45), and the reproduction apparatus from the low-power consumption operation mode to the ordinary operation mode (paragraph 46) through the radio communication interface, when a data reproduction request is made.

13. Regarding **claim 12, Kashiwamura** teaches an output apparatus according to claim 9, wherein the low-power consumption operation mode is a state (stand-by mode)

Art Unit: 2687

in which power consumption relating to radio communication is reduced (periodically switch on, paragraph 38).

14. Regarding **claim 13**, **Kashiwamura** teaches an output apparatus according to claim 12, wherein the low-power consumption operation mode includes a first mode in which connection of the radio communication is maintained (periodically switch on, paragraph 38) and a second mode in which the connection is cut off (off-condition, paragraph 50).

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **4, 5, 14-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kashiwamura** (US Publication No. 2002/0016188).

16. Regarding **claim 4**, **Kashiwamura** teaches a power consumption control method according to claim 1. However, **Kashiwamura** fails to explicitly teach that when the data

Art Unit: 2687

reproduction stop request is made in the reproduction apparatus, the output apparatus is transitioned to the low-power consumption operation mode through the radio communication interface and the reproduction apparatus is transitioned to the low-power consumption operation mode. Nonetheless, he teaches that when the adapter is detached from the phone, the CPU becomes off-condition (paragraph 37).

Kashiwamura also teaches that it is critical to save power in the headsets to increase its standby time (paragraph 7). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kashiwamura to also cause the headset to go to a lower power mode upon a data reproduction stop request is made to increase the standby time usage of the limited battery of the headset.

17. Regarding **claim 5**, **Kashiwamura** teaches a power consumption control method according to claim 4, wherein when the data reproduction stop request is made in the reproduction apparatus, the reproduction apparatus is recovered from the low-power (stand-by mode) consumption operation mode to the ordinary mode, and the output apparatus is recovered from the low-power consumption operation mode to the ordinary operation mode through the radio communication interface. However, Kashiwamura teaches that when the stop request button is pressed again in the headset toggling the communications to a start mode and thus cause the hook-up condition (paragraph 48). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kashiwamura to also apply the same concept in

Art Unit: 2687

the data reproduction apparatus to save power and lengthen the standby time of the data reproduction apparatus.

18. Regarding **claim 14**, **Kashiwamura** teaches in Figure 2, a reproduction apparatus, comprising: a radio communication interface (antenna 2e, Figure 2); a reproduction control unit configured to reproduce content data; a transmission control unit (control circuit 70, paragraph 62) configured to transmit the content data reproduced by the reproduction control unit to an output apparatus through the radio communication interface; a power control unit configured to control at least the output apparatus to transition from an ordinary operation mode in which content data is transmitted, to a low-power consumption operation mode through the radio communication interface (power supply control circuit 71, paragraph 62). Although Kashiwamura fails to explicitly teach that upon a data reproduction stop request is made at the reproduction apparatus, the power of the output apparatus is transitioned to a lower power mode, he teaches that the adapter can send control data to the headsets (paragraph 53). Kashiwamura also teaches that it is critical to save power in the headsets to increase its standby time (paragraph 7). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kashiwamura to also cause the headset to go to a lower power mode upon a data reproduction stop request is made to increase the standby time usage of the limited battery of the headset.

Art Unit: 2687

19. Regarding **claim 15, Kashiwamura** teaches an reproduction apparatus according to claim 14, wherein the power control unit transitions the reproduction apparatus to the low-power consumption operation mode, when the data reproduction stop request is made (paragraph 49-50).

20. Regarding **claim 16, Kashiwamura** teaches the reproduction apparatus according to claim 15. Kashiwamura further teaches the power control unit transitions the reproduction apparatus from the low-power consumption operation mode to the ordinary operation mode, and the output apparatus from the low-power consumption operation mode to the ordinary operation mode through the radio communication interface, when a data reproduction request is made (paragraph 46 -47) .

21. Regarding **claim 17, Kashiwamura** teaches the reproduction apparatus according to claim 14, wherein the low-power consumption operation mode is a state in which power consumption relating to radio communication is reduced (periodically switch on, paragraph 38).

22. Regarding **claim 18, Kashiwamura** teaches the reproduction apparatus according to claim 17, wherein the low-power consumption operation mode includes a first mode (stand-by, paragraph 38) in which connection of the radio communication is maintained and a second mode in which the connection is cut off (unused condition, paragraph 37).

Citation of Prior Art

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Van Pelt et al. (US Pub. No. 2003/0073460) teaches a wireless headset for cellphone or MP3 player.

Conclusion

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Lam whose telephone number is (571) 272-6497. The examiner can normally be reached on M-F 8-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DL
July 24, 2005


7/25/05
LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER